



No. 6,096,838, issued August 1, 2000; and Petitioner hereby agrees that any patent issued on the above-identified application shall be enforceable only for and during such time as U.S. Patent No. 6,096,838 and the above-identified application are commonly owned.

Petitioner, however, does not disclaim the terminal part of any patent granted on the instant application prior to the expiration date of the full statutory term, defined in 35 U.S.C. §154 to 156 and 173, of U.S. Patent No. 6,096,838, in the event that U.S. Patent No. 6,096,838 expires: for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321; has all claims canceled by a reexamination certificate; is reissued; or is otherwise terminated prior to the expiration of the above-referred-to full statutory term, except for the separation of legal title as stated above.

This disclaimer is to be binding with respect to any patent granted on the above-identified application, and is binding upon grantees, their successors, or assignees of any interests.

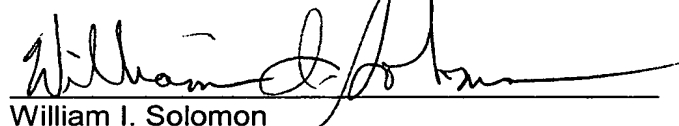
The undersigned is an attorney of record in this application and is empowered to act on behalf of Hitachi, Ltd. for execution and submission of Terminal Disclaimers, in accordance with the provisions of 37 C.F.R. §1.321(b) and (c), effective January 4, 1994.

The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

statements and the like so made are punishable by fine or imprisonment, or both,  
under Section 1001 of Title 18 of the United States Code and that such willful false  
statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in dark ink, appearing to read 'William I. Solomon', is written over a horizontal line.

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